

In the
Indiana Supreme Court

IN THE MATTER OF

)

) Case No. 02S00-0508-DI-383

CHARLES J. RATHBURN, JR.

)

**ORDER DISMISSING ORDER TO SHOW CAUSE AND
DIRECTING THE RESPONDENT TO PAY COSTS**

On August 31, 2005, this Court issued an *Order to Show Cause*, directing the respondent to show cause why he should not be suspended from the practice of law in this state for failing to respond to the Disciplinary Commission's subpoena. On September 23, 2005, the Commission filed an amended motion to dismiss the *Order to Show Cause*, therein stating that the respondent complied with the Commission's demands on September 12, 2005. The Commission has also moved this Court to impose costs against the respondent, pursuant to Ind.Admission and Discipline Rule 23(10)(f)(5), in the amount of \$ 519.06.

This Court, being duly advised, now finds that the Commission's motions should be granted.

IT IS, THEREFORE, ORDERED that this Court's *Order to Show Cause* issued in this matter on August 31, 2005, is hereby dismissed as moot.

IT IS FURTHER ORDERED that the respondent, Charles J. Rathburn, Jr., pursuant to Admis.Disc.R. 23(10)(f)(5), is to reimburse the Disciplinary Commission \$ 519.06 for the costs of prosecuting this proceeding. Admis.Disc.R. 23(10)(f)(5) and 23(21)(j) provide that the respondent's failure to pay these costs by the due date of the next annual registration fee (October 1) shall be subject to an order of suspension from the practice of law.

The Clerk of this Court is directed to forward notice of this Order to the respondent or his attorney and to the Indiana Supreme Court Disciplinary Commission.

DONE at Indianapolis, Indiana, this _____ day of October, 2005.

Randall T. Shepard
Chief Justice of Indiana

All Justices concur.